

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>Don Wharton, et al.,</b>	)	<b>CASE NO. 5:09 CV 1843</b>
	)	
<b>Plaintiffs,</b>	)	<b>JUDGE PATRICIA A. GAUGHAN</b>
	)	
<b>Vs.</b>	)	
	)	
<b>General RV Center, et al.,</b>	)	<b><u>Memorandum of Opinion and Order</u></b>
	)	
<b>Defendants.</b>	)	

This matter is before the Court upon the Motion of Defendant Gulf Stream Coach, Inc. to Transfer Venue (doc. 5). This is a breach of warranty action. For the reasons that follow, the motion is GRANTED.

Defendant, Gulf Stream Coach, Inc., moves this Court to transfer venue to the Northern District of Indiana. This case involves the sale of an allegedly defective recreational vehicle. According to defendant, the written warranty contains a forum selection clause which provides that all claims must be litigated in the state in which the vehicle was manufactured. It further provides that the vehicle was manufactured in Indiana. Plaintiffs fail to oppose the motion. Having reviewed the defendant's motion and, for the reasons stated therein, the Court finds the

motion well-taken. Accordingly, the Motion of Defendant Gulf Stream Coach, Inc., to Transfer Venue is GRANTED.

IT IS SO ORDERED.

/s/Patricia A. Gaughan  
PATRICIA A. GAUGHAN  
United States District Judge

Date: 9/24/09